



WEB COPY

W.P.(MD) No.2245 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2023

CORAM:

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

**W.P(MD)No.2245 of 2023
and
W.M.P(MD)No.2020 of 2023**

Meenakshisundaram

... Petitioner

-VS-

1.The Divisional Manager,
Karur Vysya Bank Divisional Office,
No.16, A.A.Road,
Gnanaolivupuram,
Madurai-625 016.

2.The Branch Manager,
Karur Vysya Bank,
Surandai Branch,
No.10-9-37, S.No.217/4,
Kamarajar Salai, Opp. Bus Stop,
Surandai,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the one time settlement dated 01.06.2022.

For Petitioner : Mr.T.Selvakumaran
For Respondents : Mr.V.Sukumar
Standing Counsel



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W.P.(MD) No.2245 of 2022



ORDER

**[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]**

Mr.Meenakshisundaram, S/o.Ganapathi Thevar, No. 5-3/9, Gandhi Nagar Main Road, Melarajagopalaperi, V.K.Pudur Taluk, Tirunelveli District, has filed this Writ Petition for issuance of a Writ of Mandamus, directing the respondents to consider the One Time Settlement proposal dated 01.06.2022.

2. Heard the learned counsel on either side and perused the materials available on record.

3. Since the post of Presiding Officer, Debts Recovery Tribunal, Madurai, is lying vacant and the Presiding Officer, Debts Recovery Tribunal, Coimbatore, is given in-charge and he is taking up cases pertaining to DRT, Madurai, on every Fridays only, we entertain this writ petition.

4. Learned counsel appearing for the petitioner submitted that the petitioner is prepared to pay a sum of Rs. 10,00,000/- (Rupees Ten Lakhs only) out of the total outstanding



of Rs.19,00,000/- and with regard to the balance outstanding amount, the respondents Bank may be directed to consider the one time proposal of the petitioner.

5. Learned Standing Counsel appearing for the respondents submitted that the total outstanding amount payable by the petitioner as on date is about Rs.23,63,513/- (Rupees Twenty Three Lakhs Sixtythree Thousand Five Hundred and Thirteen only). Since the petitioner come forward to pay a sum of Rs.10,00,000/-, he can be given instalments for payment of the remaining outstanding amount.

6. Recording the above submission, this writ petition is disposed of directing the petitioner to pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the respondents Bank within a period of two weeks from today and the remaining outstanding amount within six consecutive equal monthly instalments. The first instalment shall be paid on or before 17.03.2023 and the subsequent instalments shall be paid on or before the 17th day of every succeeding months. Till such time, no coercive steps shall be taken against the petitioner by the respondent Bank. If there is



W.P.(MD) No.2245 of 2021



any default in payment of any one of the instalments, the respondent Bank is at liberty to proceed further in accordance with law.

7. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[T.R., A.C.J.] [D.K.K., J.]
03.02.2023

NCC : Yes / No
Index : Yes / No
Internet: Yes
bala/am



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T.RAJA, A.C.J.
and
D.KRISHNAKUMAR, J.

bala/am

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